

52



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,580	02/16/2001	Susumu Aoyama	FUJ 17.873	4246
26304	7590	06/07/2004		
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			EXAMINER JACKSON, BLANE J	
			ART UNIT	PAPER NUMBER
			2685	
			DATE MAILED: 06/07/2004	

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,580

Applicant(s)

AOYAMA ET AL.

Examiner

Blane J Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-22 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments in view of the amendment, see the Remarks, filed 29 March 2004, with respect to claims 11-18 have been fully considered and are persuasive. The rejection of these claims has been withdrawn.

The rejection stands for claims 1-6. Claim 1 stands rejected since an image essentially represents information that the message conveys. Claims 3 and 5 contain subject matter that pertains to the display of a message or image where the essential message is taught by the primary prior art Giethoorn as the logging table. These rejections are repeated below with editing for clarity.

Claim Objections

2. Claim 1 is objected to because of the following informalities: It is suggested that the amended word – suggested—, Amendment page 2, line 7 is changed to – indicating—to avoid a functional limitation.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giethoorn (U.S. Patent 6,118,859) with a view to Smith et al. (U.S. Patent 6,226,367).

As to claim 1, Giethoorn teaches a communication terminal having a display including:

A receiving unit to receive a signal including at least identifying information of a transmitter of the signal (caller ID, column 2, line 63 to column 3, line 11),

A memory to store a communication record with respect to the transmitter (column 3, lines 18-39),

A controller to control the display to display a *message* suggesting a frequency of communication with the transmitter (time and date stamp with call count for each caller, column 4, lines 23-44).

Giethoorn does not specifically teach the display of an *image* corresponding to a frequency of communication with the transmitter.

Smith teaches a telephone system where the user terminal uses calling line identification with a graphical icon to identify the caller (figure 6 is the created table in the telephone and column 10, lines 40-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the identity linked images as taught by Smith as an alternative to the textual "image" caller ID logs of Giethoorn to convey any related information since an image essentially represents the information that a message conveys.

As to claims 3 and 5, Giethoorn teaches a communication terminal and method having a display including:

A memory to store a communication record with respect to the transmitter (column 3, lines 18-39),

A controller to control the display to display at least one of a message, the message corresponding to a frequency of communication with the transmitter (time and date stamp with call count for each caller, column 4, lines 23-44) when the communication terminal receives a signal including at least identifying information of the transmitter (caller ID, column 2, line 63 to column 3, line 11 and display of call count in logging table with receipt of call: column 3, lines 11-39),

Giethoorn teaches the textual message "image" but does not specifically teach the display of an *image* corresponding to a frequency of communication with the transmitter.

Smith teaches a telephone system where the user terminal uses calling line identification with a graphical icon to identify the caller (figure 6 is the created table in the telephone and column 10, lines 40-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the identity linked images as taught by Smith as an alternative to the textual "image" caller ID logs of Giethoorn to convey any related information since an image essentially represents the information that a message conveys.

As to claims 2 and 4, with reference to claim 3, Giethoorn further teaches the communication record includes a history of communication with the transmitter and the frequency of communication includes the number of times the transmitter communicates with the communication terminal within a set period of time (a log with call count and date and time for each unanswered call, column 4, lines 23-40).

As to claim 6, Giethoorn teaches the display method of claim 6 further comprising:

Updating the communication record corresponding to the received signal but if no communication record exists then storing the communication record corresponding to the received signal (filling, updating and displaying the logging table, example on a television, figure 3, (34): column 3, lines 15-17, column 3, line 65 to column 4 to line 44).

Conclusion

5. Claims 7-22 are allowed. Reference the Applicant's Remarks in the Amendment filed 29 March 2004 for reasons for allowance.

6. The following is additional prior art made of record and is not relied upon but considered pertinent to applicant's disclosure. Rosecrans et al. (U.S. Patent 5,889,852) discloses a graphic user interface for use with electronic phonebooks that links graphical information to a phone number that may be called using the graphic identifier when displayed. Corbett et al. (U.S. Patent 6,243,448) discloses a method for

Art Unit: 2685

determining the caller identification for an incoming call and for displaying such caller identification information (text message) on a video display device such as a television. Pitroda et al. (U.S. Patent 5,349,638) discloses an interface circuit between a telephone office and a subscriber's telephone operated in response to signals identifying incoming calls to provide visual indication of the identification information.

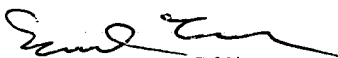
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600